

UNITED STATES BANKRUPTCY COURT District of New Jersey	
Caption in Compliance with D.N.J. LBR 9004-1(b) Robert J. Feinstein Bradford J. Sandler Paul J. Labov Colin R. Robinson PACHULSKI STANG ZIEHL & JONES LLP 780 Third Avenue, 34th Floor New York, NY 10017 Telephone: (212) 561-7700 Facsimile: (212) 561-7777 rfeinstein@pszjlaw.com bsandler@pszjlaw.com plabov@pszjlaw.com crobinson@pszjlaw.com <i>Counsel for the Plan Administrator</i>	
In re:	Chapter 11
BED BATH & BEYOND INC., <i>et al.</i> , ¹	Case No. 23-13359 (VFP)
Debtors.	(Jointly Administered)

**NOTICE OF HEARING ON PLAN ADMINISTRATOR'S MOTION FOR SANCTIONS
PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 9011**

PLEASE TAKE NOTICE that on July 24, 2024, Michael Goldberg, in his capacity as the Plan Administrator (the "Plan Administrator") to 20230930-DK-Butterfly-1, Inc. (f/k/a/ Bed Bath & Beyond Inc.)² and affiliated debtors (the "Debtors") filed his *Motion for*

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>.

² Pursuant to the *Certificate of Amendment of the Certificate of Incorporation of Bed Bath & Beyond Inc.*, which was filed with the State of New York Department of State on September 21, 2023, the name of the entity formerly known as "Bed Bath & Beyond Inc." was changed to *20230930-DK-Butterfly, Inc.* [Filing ID No. 230921001833 DOS ID 315602].

Sanctions Pursuant to Federal Rule of Bankruptcy Procedure 9011 [Doc. No. 3432] (the “9011 Motion”). Pursuant to the 9011 Motion, the Plan Administrator asks the Court to enter an order (in substantially the form attached to the Motion as Exhibit A (the “Order”)) imposing sanctions (the “Sanctions”) on the unidentified individual purported to be a former shareholder of Bed Bath & Beyond, Inc. (the “Former Shareholder”) in an amount equal to the legal and financial fees and costs (including collection costs) incurred by the Plan Administrator in responding to Former Shareholder’s frivolous and legally deficient *Motion for the Appointment of an Official Committee of Equity Security Holders* (the “Former Shareholder Motion”).

PLEASE TAKE NOTICE that on August 27, 2024 at 10:00 a.m. (prevailing Eastern Time), or as soon thereafter as counsel may be heard, a hearing will be held on the 9011 Motion before the Honorable Vincent F. Papalia, United States Bankruptcy Judge, at the United States Bankruptcy Court for the District of New Jersey, Courtroom 3B, 50 Walnut Street, Newark NJ 07102 (the “Hearing”).

PLEASE TAKE FURTHER NOTICE that parties may make arrangements to appear telephonically by CourtSolutions at <http://www.court-solutions.com/>, no later than 3:00 p.m. the court day prior to the hearing.

PLEASE TAKE FURTHER NOTICE that the Plan Administrator shall rely on the 9011 Motion, which sets forth the relevant legal and factual bases upon which the relief requested should be granted and the accompanying *Declaration of Bradford J. Sandler* [Doc. No. 3433].

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the 9011 Motion shall: (i) be in writing, (ii) state with particularity the basis of the objection; and (iii) be filed with the Clerk of the United States Bankruptcy Court electronically

by attorneys who regularly practice before the Bankruptcy Court in accordance with the *General Order Regarding Electronic Means for Filing, Signing, and Verification of Documents dated March 27, 2002* (the “General Order”) and the *Commentary Supplementing Administrative Procedures dated as of March 2004* (the “Supplemental Commentary”) (the General Order, the Supplemental Commentary and the User’s Manual for the Electronic Case Filing System can be found at www.njb.uscourts.gov, the official website for the Bankruptcy Court) and, by all other parties-in interest, on CD-ROM in Portable Document Format (PDF). Objections shall be served so as to be received no later than seven (7) days before the hearing date set forth above. *See* Local Bankr. R. 9013-2 (a)(2). Any reply must be filed and served not later than 4 days before the hearing date. *See* Local Bankr. R. 9013-2 (a)(3).

PLEASE TAKE FURTHER NOTICE that copies of all documents filed in these chapter 11 cases may be obtained free of charge by visiting the website of Kroll Restructuring Administration at <https://restructuring.ra.kroll.com/bbby/> or via PACER at <http://www.njb.uscourts.gov> in accordance with the procedures and fees set forth therein.

PLEASE TAKE FURTHER NOTICE that, unless responses are timely and properly filed and served, the Motion shall be decided on the papers in accordance with D.N.J. LBR 9013-3(d), and the relief requested may be granted without further notice or hearing.

Dated: July 24, 2024

PACHULSKI STANG ZIEHL & JONES LLP

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